

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 12-0217 WHA

v.

JOHN LIN,

Defendant.

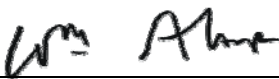
**ORDER DENYING MOTION FOR
AMENDED JUDGMENT**

Counsel for defendant John Lin has filed a motion requesting entry of an amended judgment and for the Court to send a letter to the Bureau of Prisons requesting that defendant be re-designated at a facility in California or Arizona. The BOP has designated defendant to a facility in North Carolina, which counsel states is far away from defendant's family and his immigration attorney.

Assuming the Court has jurisdiction, this order declines to make a further recommendation to the BOP. At the time of sentencing, the recommendation was made that defendant be designated at an institution "as close to San Francisco, California, as possible to allow for family visitation" (Dkt. No. 75). As counsel is no doubt aware, such recommendations are not mandates and it is up to the BOP to make the final decision. The BOP chose not to follow the recommendation. Any further arguments regarding factors to be considered in any request for re-designation should be made by counsel to the BOP as desired, but the Court will not participate.

IT IS SO ORDERED.

Dated: July 25, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE